

Remarks/Arguments

Claims 1-36 are pending in this application. In the current Office Action, the Examiner has withdrawn claims 19-22 from examination due to a restriction requirement, rejected claims 1-9, 12-18 and 23-29 under various grounds of 35 U.S.C. §§ 102, 103 and 112, allowed claims 32-36 and indicated allowable subject matter in claims 10-11 and 30-31. The rejections are respectfully traversed.

In this paper, Applicants have amended the specification at paragraphs [0021], [0022], [0045], [0046], [0047], [0056], [0057], [0058], and [0059] as well as amended claims 1, 3, 5-6, 12-13, 15 and 23 to more particularly and distinctly claim the subject matter that Applicants believe to be their invention and not for the purpose of avoiding prior art. New claims 37-40 have been added to reflect the allowable subject matter in claims 10-11 and 30-31 indicated by the Examiner. New claim 41 is also believed to contain allowable subject matter. No new matter has been added by the foregoing amendment, full support therefor being shown in the drawings and specification as filed. The claims remaining in the application are believed by the Applicant to be allowable.

Claims 1-18 and 23-41, as amended where noted, remain in the application. Further examination and reconsideration of the application is respectfully requested in view of the foregoing amendments and the following remarks.

Response to Restriction Requirement

The Examiner has made final the restriction between claims 1-18 and 23-36 (Group I) and claims 19-22 (Group II) and withdrawn non-elected claims 19-22 from consideration. While Applicant still disagrees with the restriction requirement, Applicant has cancelled claims 19-22 without prejudice.

Claim Rejections – 35 U.S.C. § 112

Claims 3, 5-6, 13 and 15-16 stand rejected under 35 U.S.C. § 112, second paragraph, as allegedly being indefinite for failing to point out and distinctly claim the subject matter which the Applicant regards as the invention. This rejection is respectfully traversed.

Specifically, the Examiner has objected to the term "tool body" in claim 3, line 1, as lacking antecedent basis, the term "rod puller" in claims 5-6 and the term "coupling" in claims 13 and 15 as lacking antecedent basis. The Applicant has made appropriate correcting amendments to these claims and believes that the Examiner's rejections have been overcome. Thus, these claims are in condition for allowance.

Claim Rejections – 35 U.S.C. § 102

Claims 1, 3, 5-9, 12-13, 15-18 and 23-29 stand rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by Henderson U.S. Patent No. 5,638,909. This rejection is respectfully traversed.

Claim 1, as amended, calls for a tool for removing a friction-fit or press-fit component from a seat, comprising: a hand-held, pneumatically-driven hammer having a forward end for applying a repeating percussive force; and a coupling for redirecting the percussive force at the forward end of the hammer to a component located rearwardly of the hammer; wherein the repeating percussive force is applied to the component by urging the hammer in a forward direction which, in turn, provides a pulling force on the rearwardly-located component through the coupling, thereby urging the component from the seat.

Claim 12, as amended, calls for an adapter for converting an air hammer with a reciprocating member into a tool for removing a friction-fit or press-fit component from a seat, comprising: a pull rod adapted to be attached to the component; and a hammer piece adapted to be operably mounted to the air hammer to receive a forwardly-directed percussive force from the air hammer and to redirect the received percussive force into a rearward direction to apply a percussive pulling force to the pull rod extending rearwardly therefrom; wherein the reciprocating member imparts a reciprocating motion to the hammer piece so that a repeating

percussive force is applied to the pull rod by the hammer piece thereby urging the component from the seat.

Claim 23, as amended, calls for a kit for converting an air hammer into a tool for removing a friction-fit or press-fit component from a seat, the air hammer comprising a body and a reciprocating member, the kit comprising: a pull rod adapted to be attached to the component; and a pulling member adapted to be operably interconnected with a forwardly-directed percussive force generated by the air hammer and adapted to percussively communicate with the pull rod interconnected with a component located rearwardly of the air hammer.

Henderson '909 discloses a bolt removal device for an air hammer. The device generally comprises a sleeve 20 which can be placed over the threaded end of a bolt 102 and a driving bit 112 from an air hammer 110 can be placed into the sleeve so that the percussive force provided by the air hammer 110 can be applied to the threaded end of the bolt 102 to pound the bolt 102 out of the seat in which it is lodged.

First of all, Henderson '909 does not address the problem solved by the Applicant's invention, namely, how to pull a component out of a seat when the lodged end is not accessible. Henderson '909 is akin to simply using the sleeve 20 to align the shaft end of the bolt 102 with the percussive force generated by the air hammer 100 to pound the threaded end of the bolt 102 out of the seat.

Second, Henderson '909 does not reach the claimed invention, even if the device shown and described in Henderson '909 could be re-configured to be used as a puller instead of a hammer. The claims call for the air hammer device, kit and adapter to include something which transfers the percussive force generated by the air hammer at the forward end thereof, to the component which is positioned rearwardly of the air hammer. This allows a user to use a similar driving motion as is typically used when using the air hammer for hammering purposes in the same way when the air hammer is used as a puller as in the Applicant's invention. Nothing resembling this is shown in the Henderson '909 reference.

Thus, Henderson '909 does not anticipate the claimed invention. Claims 1, 12 and 23 clearly define over the Henderson '909 reference. Claims 3, 5-9, 13, 15-18 and 24-29 define over

the Henderson '909 reference for at least the same reasons as their respective parent claims 1, 12 and 23. These claims are in condition for allowance.

Claim Rejections – 35 U.S.C. § 103

Claims 2, 4 and 14 stand rejected under 35 U.S.C. § 103(a) as allegedly being obvious over Henderson '909 in view of Deike U.S. Patent No. 4,168,751. This rejection is respectfully traversed.

The combination of Henderson '909 and Deike '751 is traversed. There is no basis for the alleged combination. Henderson '909, as described above, relates to an attachment for an air hammer which allows for the alignment of an air hammer bit with a threaded end of a bolt for more accurate pounding against the end of the bolt. Deike '751 relates to another type of power hammer including a compression spring acting on an anvil of the tool. The combination of Henderson '909 and Deike '751 is improper, there is no teaching, suggestion or motivation within either of these references, taken alone or in combination, which would support their combination, other than both describe air hammer-type operations and devices.

However, assuming for the case of argument that the Examiner's alleged combination of these two references could somehow be made, the combination still fails to meet the claimed invention. As described above with respect to the Henderson '909 reference, Henderson '909 is akin to simply using a sleeve 20 to align the shaft end of the bolt 102 with the percussive force generated by the air hammer 100 to pound the threaded end of the bolt 102 out of the seat. The addition of Deike '751 to the Henderson '909 reference adds nothing to the disclosure of the Henderson '909 reference relevant to the Applicant's claimed invention.

Second, the Examiner's alleged combination does not reach the claimed invention. At best, the Examiner's alleged combination discloses the alignment sleeve device 20 of the Henderson '909 reference employed with the power hammer shown in the Deike '751 reference. There is no teaching, suggestion or motivation that the device of the Examiner's alleged combination could be re-configured to be used as a puller instead of a hammer. The claims call for the air hammer device, kit and adapter to include something which transfers the percussive

Serial No. 10/604,083
Filed: June 25, 2003
Page 16 of 17

Examiner: John C. Hong
Group Art Unit: 3726

force generated by the air hammer at the forward end thereof, to the component which is positioned rearwardly of the air hammer. This allows a user to use a similar driving motion as is typically used when using the air hammer for hammering purposes in the same way when the air hammer is used as a puller as in the Applicant's invention. Nothing resembling this is shown in the alleged combination set forth by the Examiner. Thus, claims 2, 4 and 14 as they stand overcome the Examiner's alleged combination and are in condition for allowance.

Supplemental Information Disclosure Statement

Applicant has discovered some additional patents for citation in this case and has enclosed a Form PTO-1449 identifying these references. Since these references were submitted after a first Office Action in this case, Applicant has properly submitted the late filing fee with this IDS. Applicant believes that all claims in this case are allowable over the newly-cited prior art.

Allowable Subject Matter

The Applicant acknowledges with thanks the Examiner's determination that claims 32-36 are allowable. The Applicant also acknowledges with thanks the Examiner's determination that claims 10-11 and 30-31 are allowable if rewritten into independent form. New claims 37-40 represent this rewritten allowable subject matter.

Serial No. 10/604,083
Filed: June 25, 2003
Page 17 of 17

Examiner: John C. Hong
Group Art Unit: 3726

Conclusion

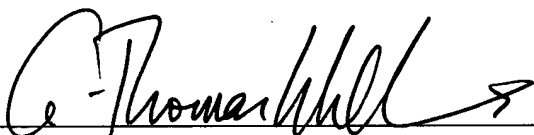
For the reasons discussed above, all claims remaining in this application are in condition for immediate allowance. It is submitted that all of the pending claims in the application are allowable over the prior art of record. Early notification of allowability is requested.

If there are any remaining issues which the Examiner believes may be resolved in an interview, the Examiner is invited to contact the undersigned.

Respectfully submitted,

JAMES PANKS

Dated: May 18, 2005

By: 
G. Thomas Williams, Reg. No. 42,228
MCGARRY BAIR PC
171 Monroe Avenue, NW, Suite 600
Grand Rapids, Michigan 49503
616-742-3500

G0168686